

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD GEORGE CARTER,

Plaintiff,

v.

Case Number 11-15322
Honorable Robert H. Cleland

CITY OF DETROIT, et al.,

Defendant.

ORDER STAYING AND ADMINISTRATIVELY CLOSING CASE

On July 18, 2013, the City of Detroit filed a voluntary petition for protection under Chapter 9 of the Bankruptcy Code. On July 25, 2013, Judge Steven Rhodes entered an order confirming the automatic stay of all proceedings against the City imposed under section 922 of the Bankruptcy Code upon the filing of the petition. *In re City of Detroit, Michigan*, No. 13-53846 [dkt. #167] (Bankr. E.D. Mich. July 25, 2013). The stay applies to “judicial, administrative, or other action[s] or proceeding[s] against an officer or inhabitant of the City, including the issuance or employment of process, that seeks to enforce a claim against the City.” *Id.* at 3. The present action has been commenced by the plaintiff against the City of Detroit and officers Susan Siemaszko, William Vitorakos, Steven Dest, Russell Morgan and Donna Lally of the City of Detroit seeking to recover damages by enforcing a claim against the City of Detroit, which by law may be obliged to satisfy a judgment rendered against such officers. Based on those orders, the Court will stay and administratively close this matter.

Accordingly, it is **ORDERED** that proceedings in this case are **STAYED**.

It is further **ORDERED** that this case is **CLOSED** for administrative and statistical purposes without prejudice because the defendant is involved in a bankruptcy case in which a stay of proceedings or an injunction is in effect. This closing does not constitute a decision on the merits.

It is further **ORDERED** that if the bankruptcy stay or the injunction is removed, or a party obtains relief from the stay, then the case may be reopened upon the motion of any party.

It is further **ORDERED** that any party may apply to the bankruptcy court for relief from the automatic stay under 11 U.S.C. § 362(d)-(g).

S/Robert H. Cleland

ROBERT H. CLELAND

UNITED STATES DISTRICT JUDGE

Dated: July 31, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, July 31, 2013, by electronic and/or ordinary mail.

S/Lisa Wagner

Case Manager and Deputy Clerk

(313) 234-5522